

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CHINESE CONSOLIDATED	)	
BENEVOLENT ASSOCIATION,	)	
an Illinois not-for profit corporation,	)	
Plaintiff,	)	
	)	Case No. 21-cv-04370
v.	)	
	)	Judge Andrea R. Wood
CHICAGO CHINATOWN BRIDGEPORT	)	
ALLIANCE SERVICE CENTER, an Illinois	)	
not-for-profit corporation, and YMAN HUANG	)	
VIEN, individually,	)	Jury Trial Demanded
Defendants.	)	

**INITIAL STATUS REPORT**

1. Nature of the Case

a. Attorneys of Record:

- i. For Plaintiff: Steven L. Baron, Baron Harris Healey, lead trial attorney
- ii. For Defendant: Unknown

b. Parties that have not yet been served: Defendants Chicago Chinatown Bridgeport Alliance Service Center and Yman Huang have not yet been served. At least six attempts at service on each defendant were made at two different addresses between August 25 and September 17.

c. Basis for federal jurisdiction: Subject matter of this action pursuant to Section 39 of the Trademark Act of 1946 (the “Lanham Act”), 15 U.S. C. § 1121, and under Sections 1331 and 1338(a) of the Judicial Code, 28 U.S.C. §§ 1331, 1338(a). The Court has supplemental jurisdiction over the state law claims under Section 1367(a) of the Judicial Code, 28 U.S.C. § 1367(a).

d. Nature of claims and relief sought: Federal unfair competition under the Lanham Act, trademark and unfair competition under Illinois common law, violations of the Uniform Deceptive Trade Practices Act and Consumer Fraud and Deceptive Business Practices Act, breach of fiduciary duty, usurping corporate opportunity and conversion. The allegations and claims arise from the conduct of an Illinois not-for-profit corporation and its president who hatched a plan to create and operate an entity to provide the same services as Plaintiff under a nearly identical

name as Plaintiff. By doing so, Defendants traded off the goodwill and reputation of the Plaintiff, which has served the Chinese community in Chicago for decades. Plaintiff seeks injunctive relief and damages.

- e. Major legal and factual issues:
  - i. Whether defendants use of the name and acronym CCBA SC violates plaintiff's longstanding rights in the name and mark CCBA under Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).
  - ii. Whether defendants use of the name and acronym CCBA SC violates plaintiff's longstanding rights in the name and mark CCBA under Illinois common law.
  - iii. Whether defendants use of the name and acronym CCBA SC violates plaintiff's longstanding rights in the name and mark CCBA under the Uniform Deceptive Trade Practices Act (815 ILCS 510/)
  - iv. Whether defendants use of the name and acronym CCBA SC violates plaintiff's longstanding rights in the name and mark CCBA under the Consumer Fraud and Deceptive Business Practices Act (815 ILCS 505/)
  - v. Whether defendant Vien (who served as President of plaintiff's board) breached her fiduciary duty to plaintiff when she created defendant CCBA SC.
  - vi. Whether defendant Vien usurped a corporate opportunity.
  - vii. Whether defendants converted plaintiff's property and records.
- 2. Mandatory Initial Discovery Pilot Project
  - a. Not applicable
- 3. Case Plan
  - a. Deferred until after service of complaint on defendants.

Dated: October 13, 2021

Respectfully submitted,

**CHINESE CONSOLIDATED  
BENEVOLENT ASSOCIATION**

By: /Steven L. Baron/

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Steven L. Baron (Bar No. 6200868)  
Baron Harris Healey  
150 South Wacker Drive  
Suite 2400  
Chicago, Illinois 60606  
Tel: 312-741-1027  
Email: sbaron@bhhlawfirm.com

*Attorneys for Plaintiff*